

**IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON**

**WILLIAM ALLEN MEANS,
Plaintiff,**

v.

Civil Action No.: 2:20-561

**E.M. PETERSON and
D. HARVEY,
Defendants.**

**MOTION TO WITHDRAW
DEFENDANT'S EMERGENCY MOTION FOR PROTECTIVE ORDER AND/OR STAY**

COMES NOW the Defendants, E.M. Peterson and D. Harvey, by counsel, Duane J. Ruggier II, Evan S. Olds, and the law firm of Pullin, Fowler, Flanagan, Brown & Poe, PLLC, and hereby move the Court to allow or cause Defendants' previously filed *Emergency Motion for Protective Order and/or Stay*¹ to be withdrawn. Upon information and belief, the investigation referred to in said *Emergency Motion* has concluded. Accordingly, Defendants represent to the Court that the hearing scheduled for Monday, April 5, 2021, may, in the Court's discretion, be cancelled.

**E.M. PETERSON, D. HARVEY, and
THE CITY OF SOUTH CHARLESTON**

By Counsel,

/s/ Duane J. Ruggier II
DUANE J. RUGGIER II (WVSB #7787)
EVAN S. OLDS (WVSB #12311)

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¹ ECF No. 43.

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CERTIFICATE OF SERVICE

The undersigned counsel for the Defendants, Defendants, E.M. Peterson and D. Harvey, do hereby certify that a true copy of the foregoing "**DEFENDANTS' MOTION TO WITHDRAW DEFENDANT'S EMERGENCY MOTION FOR PROTECTIVE ORDER AND/OR STAY**" same in an envelope, properly addressed with postage fully paid and depositing the same in the U.S. Mail, on this the 2nd day of April, 2021.

L. Dante' diTrapano, Esq.
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/s/Duane J. Ruggier II

DUANE J. RUGGIER II (WVSB #7787)
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